

Remarks

This is in response to the Official Action of July 28, 2005.

In response to the requirement for restriction, applicants hereby elect the claims of **GROUP I** (claims 1-9) for substantive examination.

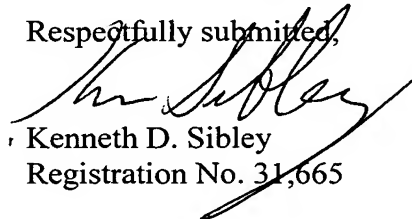
Claims to **GROUPS II, III, and IV** are cancelled herein, without prejudice to the filing of a divisional application thereon.

The restriction requirement as to **GROUPS V AND VI** is respectfully traversed. It is respectfully submitted that these groups relate to group I as methods of using a compound, and should be examined together with group I in accordance with MPEP §806.05(h). Reconsideration is respectfully requested. The Examiner's reminder of the possibility of rejoinder on pages 9-10 of the official action is acknowledged with appreciation.

In response to the requirement for an election of species, applicants hereby elect **SPECIES A**, the species of **SEQ ID NO: 4** (encoding Erythropoietin receptor isoform 1), for substantive examination. This election is made on the understanding that, on the finding of an allowable species, examination will continue with the non-elected species until all species have been examined or a non-allowable species is found. Claims 1-2, 7-9 and 17-24 are currently readable upon the elected species.

It is respectfully submitted that this application is in condition for substantive examination and allowance, which action is respectfully requested.

Respectfully submitted,



Kenneth D. Sibley
Registration No. 31,665

Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, NC 27627
Telephone (919) 854-1400
Facsimile (919) 854-1401